

REMARKS

In response to the Office Action dated July 28, 2005, Applicants respectfully request reconsideration based on the above amendments and the following remarks. By this amendment claims 12-20 are canceled as being drawn to a non-elected invention, claims 21-32 are canceled without prejudice to expedite prosecution, and claim 33 is added. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-8, 10 and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Bodin. This rejection of is traversed for at least the following reasons.

Claim 1 recites, *inter alia*, "wherein determining the level of traffic at each cellular site includes accessing stored known load patterns for each cellular site, the stored known load patterns associating a level of traffic with a time period for each cellular site such that selecting a cellular site for handoff is based in part on expected load at each cellular site." Support for this feature is provided in at least paragraph [0025] of Applicants' specification.

Bodin fails to teach "wherein determining the level of traffic at each cellular site includes accessing stored known load patterns for each cellular site, the stored known load patterns associating a level of traffic with a time period for each cellular site such that selecting a cellular site for handoff is based in part on expected load at each cellular site." In Bodin, an entry threshold for a cell can be modified based on the traffic at that cell. This can make certain cell sites more accessible based on traffic. Bodin, however, fails to teach considering expected load at each cellular site as recited in claim 1. As described in paragraph [0025] of Applicants' specification, embodiments use the expected load to avoid hand off to cellular sites that will experience high load (e.g., rush hour load upcoming).

For at least the above reasons, claim 1 is patentable over Bodin. Claims 2-7, 10, 11 and 33 variously depend from claim 1 and are patentable over Bodin for at least the reasons advanced with reference to claim 1.

In view of the foregoing remarks and amendments, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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